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ABSTRACT

The course is for independent study by jail officers who must learn that, in addition to their rountine tasks, they must be prepared to be well-trained, responsible professionals, making important decisions and avoiding the mistakes and disproven beliefs of the past. The jail administrator must continually wrestle with the problems of conflicting priorities, limited funds, deficient facilities, and a limited, often ill-trained jail staff; he must find ways to develop his jail as a progressive institution sensitive to the community's needs. Book 4 is designed as a guideline for jail administrators who realize and are willing to accept their responsibility for devoting time, effort, and intelligence to interpreting the jail's role to the public and, in turn, informing the public concerning its responsibilities toward the jail. Discussion is focused on ways in which jail administrators can actively develop good relations with news media and initiate public support for change and improvement as well as on communicating with and controlling the news media in times of emergency or unforeseen circumstance. (SC)

Jail Management

A Course For Jail Administrators

Independent Study: Book 4: Community Relations

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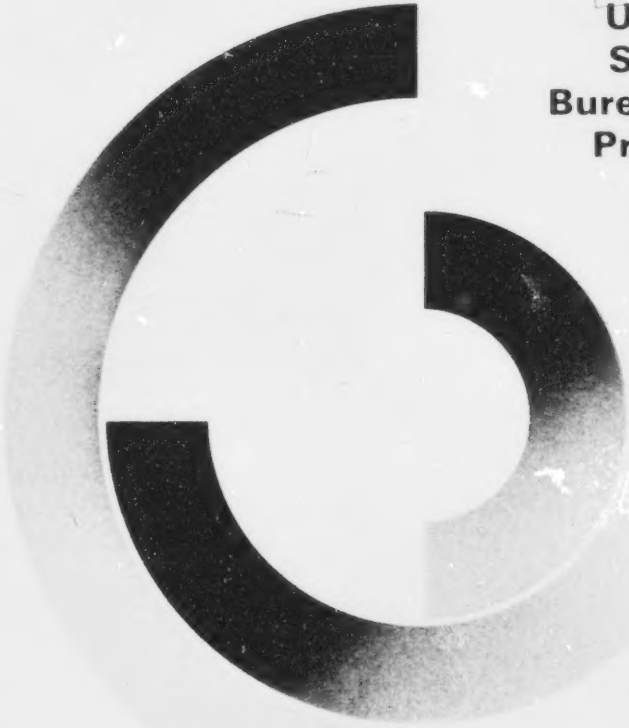

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Jail Management

A Programmed
Instruction
Course
based on the text,
The Jail:
Its Operation
and Management

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Preface

This course is for jail officers. It was written to help them assume the difficult and challenging demands of jail work. The course emphasizes that, in addition to the routine tasks which officers must learn to perform in the jail, they must also be fully prepared to serve an important function for society as well-trained, responsible professionals. Much of the jail officer's job will depend on his ability to make important decisions and to avoid the mistakes and disproven beliefs of the past. The course material includes discussions of mistakes which other men and women have made on the job. It is hoped that jail officers can learn from these things and avoid making the same errors. Naturally, there can be no substitute for actual on-the-job experience. But it is hoped that by participating in this course, jail officers will be better prepared to perform in a professional, competent manner on the job than if they were required to learn only "by doing."

Alice H. Blumer
Madison, Wisconsin

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Note to the Reader

This course has been developed to permit you to participate in decision-making and problem solving while you proceed through the material. To participate in this type of course, all you have to do is read carefully, follow instructions and complete each section. You cannot use this course like a magazine, that is, opening at the middle and flipping through the pages. It is very important that you *begin at the beginning* and read all the material. You will see that, throughout the course, when you read some material, you will be asked to respond to written questions and then check your answer by comparing it to the printed answer appearing on the following page. In some sections, you will be asked to read a case study and then formulate solutions to problems presented in the study. Do not hesitate to write in the book whenever you are asked to, and if you are having any difficulty, simply re-read the pertinent material. It is strongly recommended that, whenever possible, you talk to at least one other person about the material in the case studies as they relate to local conditions and problems. (Naturally, a classroom discussion with other jail administrators would be ideal). If you do this, it is inevitable that the material will become more relevant to both of you and will be more useful to you in your work. We think you will enjoy learning in this manner, and hope that you will finish the course with a feeling of pride in your profession and confidence in your ability to function as a competent jail administrator.

BOOK FOUR:
COMMUNITY RELATIONS

INTRODUCTION

The jail is everyone's concern. You, as a jail administrator, may feel that it is too idealistic to expect the community to become interested in and concerned about the jail and its problems and to recognize and support your attempts to bring change and improvement to the jail. It is true that, historically, the general public has tended to disregard or remain totally unaware of the problems and activities of the jail. You may argue that the public shows concern and interest in the jail only sporadically, when a riot or escape occurs or when a prominent personality is detained there. But ask yourself why this is so. Perhaps *you* have contributed to the virtual isolation of the jail by failing to promote and maintain a productive relationship between the jail and the community. After all, it is the community which pays for the construction, operation and maintenance of its jail. And it is the community to which jail prisoners — corrected or not — will return upon release. Isn't it time for jail administrators to take the initiative, to educate and inform the community concerning its jail and to do whatever possible to develop and encourage community involvement and interest in the problems of the jail, and in the search for solutions?

This chapter is designed as a guideline for jail administrators who realize and are willing to accept their responsibility for devoting time, effort and intelligence to interpreting the jail's role to the public and, in turn, informing the public concerning its responsibilities towards the jail. Building sound community relations can be the key to your success as a jail administrator. Read and study this chapter carefully.

It is unfortunate that in most communities, citizens are unaware of the activities of the jail and are largely influenced by the bad things that they see. For instance, the following things are likely to contribute to a negative community attitude toward the jail:

- An unsanitary or neglected physical plant
- A poorly behaved and irresponsible jail officer
- A correctional program with a high percentage of walkaways or drinking incidents
- Newspaper reports charging that an escape or other jail disturbance was poorly handled
- A family member or attorney who complains publicly about jail policies concerning visiting and correspondence

Although sometimes justified, it is usually the case that such an attitude is based on superficial and misleading evidence. It is only when people in the community become more fully informed about and interested in the purposes and activities of the jail that a productive and positive relationship between the community and the jail can be reached.

How can such a relationship be developed? As jail administrator, you must take the important first step: OPEN THE JAIL TO THE COMMUNITY. You must honestly and directly seek community support and understanding by showing people what is wrong with your jail, what is right with it, and how members of the community can and must work to improve the jail. A defensive or apologetic attitude on your part is inappropriate and damaging to the jail's cause. If there is something wrong and if there is something which can be done about it, you must take the offensive by admitting to the presence of problems and placing a portion of responsibility for change and improvement with the community.

Every community consists of groups which hold widely divergent opinions attitudes and interests. Because this is the case, it is often worthwhile to identify these groups and to seek their support and assistance for the jail by appealing to their particular concerns and interests in speeches, special tours of the jail, printed brochures and news releases.

Suppose you are the administrator of a large county jail and wish to cultivate strong community support for a misdemeanant probation program. The previous administrator was unsuccessful in obtaining support for this program because a prominent politician in the community had made statements to the press criticising the proposed program for being:

- Soft on criminals
- A threat to the safety of the community
- An unproven program with no evidence of benefit for the community

Naturally, in order to make any progress at all in finding support for this program, you must erase this negative impression which is currently held in the community regarding probation. The ideal way of doing this is to single out several of the special interest groups which exist in the community and appeal to their interests while pleading the cause of the program which you support. For instance, you might wish to receive the support of an influential group of local businessmen. What is most likely to be their common interest? Most likely, these people are interested in efficient, economical use of public money. On the following pages is one possible way in which you can seek their support for the probation program.

ARRANGE TO MAKE A SPEECH TO THIS GROUP. And then make sure that your speech appeals directly to the common interest which you identified. For instance, you might discuss specific figures which help to demonstrate to these people that keeping a person in jail can cost as much as 10 to 15 times as much as it would cost to put this person on probation. An example might be:

> John Sowers, a prisoner in the county jail, is costing the county $4.41 per day while he is confined. He will be in the jail for one year, making the cost to the county $1,609.65. During this year, since Sowers is unable to work, his family will receive Welfare payments from the county. These payments will be approximately $250.00 per month for that year and most likely will continue for longer than a year because it will take Sowers time to find a new job when he is released. The *minimum* cost to the county will be $3,000.00. In all, keeping Sowers in jail will cost the county a minimum of $4,609.65.
>
> If a probation program were put into effect and Sowers were chosen for participation, the figures would be quite different. Supervision by a probation officer hired by this jail is likely to cost the county approximately $300.00 per prisoner. While on probation, Sowers would be able to continue working at his present job and his family would not be in need of Welfare support. The saving to the county would be at least $3,000.00.
>
> SUMMARY. If a probation program were in effect, Sowers would cost the county as little as $300.00. Without the probation program, he will cost the county at least $4,609.65, making a difference of $4,309.65! From an economic point of view, it would be extremely difficult to argue, as the politician did, that the program is unproven, with no evidence of benefit to the community. Couldn't it be argued that tax money can be used in more constructive ways than simply locking up a man for a year and paying for his upkeep and the upkeep of his family as well? It would seem that, in this case, the taxpayers of the county will suffer as much as Sowers, if not more.

Find out what the costs are in your jail and in your community. Then use the figures you arrive at to convince the community of your problems and needs.

Economic considerations will not be the only concern of this group. Someone will undoubtedly ask, "But, isn't probation a risk that endangers the community? Won't our families be threatened when dangerous criminals are released into the community?" Questions like these will challenge your ability to argue your case reasonably and honestly. You should be able to cite figures and examples which lend credibility to this statement: when prisoners are carefully screened before being allowed to go on probation and are then supervised closely by a probation officer while in the community, the program can be *twice* as successful in reducing recidivism as the traditional jail term.*

Demonstrate to these people that you are aware of the community's anxiety and that the program will be carefully controlled to minimize any risks. Explain how the program would be staffed and run by the probation department. For example, you could speak in detail about the success of probation departments in using presentencing reports to give judges accurate, verified information about the background of misdemeanants and to predict the success of probation for each person. You could then follow with a detailed explanation of postsentencing services which provide supervision and surveillance of the offender while he is in the community. You might also point out that use of volunteers from the community to guide and assist persons on probation can do much to influence a probationer's satisfactory adjustment to the community and can also bring a more positive and relaxed attitude toward probationers among members of the community.

*Note:
Figures and commentary to support this statement can be found in
Saginaw Probation Project Report, 1963
Michigan Crime and Delinquency Council
Probation Department
Saginaw, Michigan 48605
The Use of Volunteer Probation Counselors For Misdemeanants
Sponsored by: The Law Enforcement Assistance Administration
Grant No. 037
633 Indiana Avenue N.W.
Washington, D.C. 20530

No matter how effective your talks with groups may be and no matter how interested people appear when taken on a tour of the jail, they will forget much of what you say unless they go away equipped with printed facts and figures. Have information sheets and brochures printed which outline the main points of your argument. Make sure that they receive these printed hand-outs and, most important of all, encourage them to speak to their councilmen or other elected representatives about your proposal. Make sure they know *why* no probation program exists and why *their* support can influence decision makers and bring this program and others to the jail for the mutual benefit of jail *and* community.

Undoubtedly, your community has a number of active church and service organizations. What is most likely to be their common interest? Generally, these groups are concerned with social conditions in the community and seek ways to actively improve these conditions. By concentrating on these concerns, you can gain much support for your probation program. See if you can think of a good way in which you can appeal to the interests of this type of group. Stop now and give it some thought before continuing.

One approach to take when seeking support for the program is described on the next two pages.

ARRANGE TO TAKE PEOPLE FROM THESE GROUPS ON A SPECIAL TOUR OF THE JAIL

Point out problems that are relevant to their interests and show them the need for your proposed program in light of these problems. For instance, you might point out that a significant number of prisoners who are now sitting idle in the jail *could* be eligible for probation. You might explain that rather than remaining helpless in the jail these persons could be gainfully employed and living a relatively normal life in the community. Through the opportunity presented by probation, such persons would be given a chance to maintain their self respect as wage earners and responsible family members.

You might also be able to cite specific examples which illustrate the negative effects of confinement on persons locked in jails. A favorable point could be made that probation permits the prisoner to adjust to the community while under the supervision and guidance of the probation officer. Whereas, confinement often causes alienation of the offender from the community to which he will eventually return.

When discussing some details of the probation program, it might be effective to point out that presentence reports for probation can also be effectively used to implement a "Release on Recognizance" or bail program which you might also wish to start in your jail. If you are holding a signif cant number of untried persons in jail because they cannot raise bail, you may draw attention to the injustice of such a system which penalizes persons who are poor and favors the affluent. You can effectively explain how, by using law students and other volunteers, you could develop a presentence report approach through which untried persons, considered a safe risk, can be released into the community to await trial regardless of their ability to pay bail fees.

Again, it is important that you supply these people with printed materials which contain the important facts and arguments which you have discussed with them. It is equally important to indicate that *their* support is vital to your plans for improvement and that by contacting their elected officials and indicating their support, they can strongly influence any future decisions that are made regarding the jail.

Although this discussion has dealt primarily with ways in which to seek support for a jail probation program, the same technique can be used in obtaining support for a number of other jail programs. For instance, you could find support in this manner for Work Release, Educational Release and counseling programs which were discussed in an earlier section, *Jail and Community Corrections Programs*.

No doubt, many ideas will come to your mind concerning ways in which you can seek community support for the jail by appealing to the concerns of particular citizen groups which you recognize in your own community. For instance, you may wish immediate, tangible results such as donations by service clubs of additional TV sets for the jail or up-to-date and appealing reading matter. Or, as we have discussed, you may wish to develop solid community awareness of and support for jail activities. When issues are raised and criticism is leveled at your suggestions for change, you should be confident that substantial numbers of citizens are educated in the real problems of the jail and are prepared to request, through their elected officials, that the jail be given the attention it needs. It must be assumed that an administrator who does not actively seek this type of support is either lazy or afraid that he has something to hide and cannot open his jail to the scrutiny of the public.

In one community, a series of nationally syndicated newspaper articles concerning state prison conditions in the country caused a group of citizens to become interested in conducting an inspection of the local county jail. The jail administrator agreed to allow such an inspection, and a group of four clergymen was chosen to tour the jail. In their report to the community, the clergymen noted that they were impressed by the cleanliness of the jail but were highly critical of the jail's policy of housing young offenders in the same section as older, more experienced and hardened offenders. They were also critical of the idleness and boredom which was evident among the jail prisoners.

After seeing their report, the administrator designated these clergymen as an advisory committee and authorized them to make frequent, spontaneous trips to the jail to study inmate problems, to observe jail inadequacies and to make recommendations for improvement.

It can be said that this administrator acted in a very positive way and encouraged community involvement in his jail's problems. However, can you think of some ways in which he could have shown more initiative and resourcefulness in taking advantage of this newly found community concern for the activities of the jail? See if you can formulate an answer before turning the page and reading the commentary.

In the first place, this administrator was too passive. He patiently stood by while the four clergymen found out for themselves what was wrong in the jail. He should have directed their attention to the pressing problems rather than hoping they could discover these things for themselves. He could have immediately pointed to the crowded conditions which have forced him to house young people with older, hardened prisoners and he could have effectively explained to the group what sort of new facilities are needed to eliminate this problem. Or, he might wish to explain to the group that, with community support, he would be able to implement new programs such as Work Release and probation which would dramatically reduce the crowding and idleness which are now evident in the jail. By explaining why such programs are not in use — insufficient budget for new staff, lack of community support, insufficient legislation, etc. — he could give these men some concrete ideas about the community's responsibility to help bring new programs and policies to the jail.

This administrator probably made a mistake by appointing an advisory committee comprised only of clergymen. He would have been wiser to seek broader community representation and include persons from the business and labor sector, the professional sector and from socially concerned agencies or private groups. In this way, he could find wider support in the community for treatment of jail problems and, chances are, wider representation would produce new ideas and new solutions which he had not considered.

Your information and education program may be only one step in establishing a good relationship with the community. If you are planning a program that will in some way affect the community, you must involve members of the community in the planning stages. For instance, if you wish to begin a Work Release program, you should seek the cooperation of employee unions and potential employers during the planning stages of the program. If you do not involve these people in this early stage, you are likely to meet with reluctance and even hostility when your program is begun.

In one community, the sheriff in charge of the jail arranged with the city council to rent a city-owned house where Work Release participants would live. These prisoners had been living in the jail under crowded conditions and the sheriff had determined that conditions would be considerably improved if Work Releasees lived elsewhere in the city under supervision.

Plans went smoothly until the day that the move was taking place. A number of neighborhood residents became aware of the large number of beds being carried into the house and word quickly spread that a group of "criminals" was moving in. Neighbors hastily agreed that

- their property values would plunge disasterously
- they and their children would be molested and harassed by "criminals"
- the appearance and condition of the house and property would deteriorate rapidly and detract from the overall appearance of the neighborhood.

Result:

A neighborhood group, headed by an attorney, threatened legal action against the city and managed to force the sheriff to abandon his plans for using the house.

It is possible that this neighborhood opposition and the eventual cancellation of the project could have been avoided. How do you think the sheriff *should* have handled plans for the Work Release dormitory? See if you can formulate an answer before reading the commentary on the next page.

The sheriff should have included residents of the neighborhood in every step of the planning process. By suddenly confronting them with the accomplished fact, the sheriff was certain to meet with angry and strong opposition to the project. But if he had consulted residents from the beginning, answered their questions concerning the project, and cooperated with them by incorporating their suggestions in his plans, chances are that the project would now be in existence. In his early contacts with residents the sheriff could have

- Explained the proposed Work Release program and the reasons for housing participants away from the jail
- Explained that persons chosen to participate in Work Release are not "dangerous criminals" and are usually in jail for misdemeanors which have not endangered other people
- Explained that jail supervisory personnel would be assigned to the Work Release house and participants would be obliged to comply with a number of regulations or would be excluded from the program on the recommendation of staff members
- Explained that the house would be carefully maintained and that no signs, bars or unsightly fences would be installed that would mar the appearance of the house or neighborhood

There is no guarantee that a plan like this one would be accepted and approved even if neighbors *are* included in the initial planning stages. However, the chances for acceptance are *far* greater than those of a plan which is suddenly thrust upon the community and has not been developed through the cooperation of the community and the program planners.

The news media have an important responsibility to keep the community fully informed about how its government is functioning. Interpretation of events and policies by news publications, television, and radio greatly influences public opinion. For this reason, it is essential that the activities, programs and problems of the jail are openly and intelligently presented to the news media. The ability of a jail administrator to use the press constructively can be a major factor in educating the community.

It is not enough for a jail administrator to periodically distribute printed pamphlets to the news media and it is wrong for him to deny newsmen—and ultimately, the public—information about the jail, its activities and its problems. It is important for the administrator to develop a working relationship with the news media in which he demonstrates his willingness to inform the community about the jail and speak truthfully about its problems. At the same time—especially during emergencies or events of particular public interest—the jail administrator must be capable of keeping the movements and actions of newsmen under control so that the rights of prisoners are scrupulously maintained and preserved.

On the following pages are a number of discussions designed to aid the administrator in developing and maintaining a good relationship with news media that will serve the jail and community well, not only in routine encounters, but also in crisis situations.

When working with the news media, it is important for the jail administrator to follow these general guidelines:

GIVE ACCURATE INFORMATION: provide newsmen with printed facts and figures to support your remarks — this will reduce the possibility of error or misunderstanding.

AVOID TECHNICAL LANGUAGE: explain all words and phrases which are relatively unknown outside of correctional circles. The news media or the public might misinterpret these terms and misunderstand an important point.

DO NOT FAVOR ONE MEDIUM OVER ANOTHER OR ONE REPORTER OVER ANOTHER: release information or statements to all interested news media at the same time.

AVOID HOSTILITY AND FEUDS WITH NEWS MEDIA: if significant errors appear in the news reports, call them to the attention of those who made them and request that they be corrected. Feuding with news media or reporters can be extremely damaging to the jail's cause.

MAKE SURE THAT IN ALL CONTACTS WITH NEWS MEDIA, PRISONERS' RIGHTS TO SAFEKEEPING AND A FAIR TRIAL ARE NOT JEOPARDIZED BY ACTIVITIES OF NEWS MEDIA REPRESENTATIVES: permitting free reign to newsmen for fear of being criticised by them is dangerous and irresponsible especially in times of emergency or unusual stress.

An interesting case study of how news media can be effectively used by jail administrators in seeking improvements for the jail is shown below.

After being newly elected, Sheriff Frederick Jeppert quickly found that medical treatment facilities in the Stone County jail were shockingly inadequate. Limited by the county budget which allows only $1,200.00 per year for professional medical care for prisoners, Jeppert's predecessor had only been able to gather together a meager medical staff consisting of one part-time physician, one part-time nurse and a part-time dentist. The limited time given by these professional people was woefully inadequate considering that the daily jail population averages 500 or more! The former sheriff had been afraid to make a public issue of this situation, fearing that the press would blame him, and not the inadequate funding, for the situation.

Jeppert moved quickly. Soliciting the support of his chief deputy, who had also served under the former sheriff, he presented his case by telling newsmen of an incident which had recently occurred in the jail. Six tuberculosis patients had been confined in the jail at one time. Because the jail had no isolation ward, these prisoners were placed in the infirmary where they were in contact with other prisoners. When asked why these patients had not been moved to the county hospital or TB institution, Jeppert replied, "Neither of these institutions would accept the prisoners since they do not have adequate security quarters and are understandably reluctant to take on the responsibility of keeping prisoners. We are obliged, by law, to keep these prisoners under custody; we don't have the ability to pick and choose." The chief deputy added, "There have been times in which we have had both hepatitis patients and TB patients at the same time. When this has happened, we have been in the position of having to choose the lesser of two evils; we have confined the hepatitis patients to the infirmary and placed the TB patients in the cell blocks with the other prisoners." Jeppert supplied the press with the pertinent facts and figures, underscoring the meager medical allowance allowed for the jail, the inadequate medical facilities and the large size of the jail population. At the same time, he suggested several positive approaches to the problem.

The local press promptly responded to Jeppert's statements. Editorially, the press pointed out that the existing system placed other prisoners and jail officers in danger of infection and pointed to the responsibility of the community to see that conditions such as these are eliminated. Echoing Jeppert's suggestions, the press called for community action to provide:

1. A more adequate medical staff for the large jail population.
2. A more realistic budget to provide for the medical needs of the large jail population.
3. A medical isolation facility with security either at the jail or at the county hospital.

Result:

Members of the community responded sympathetically to Jeppert's predicament. Groups of citizens requested action on the part of county officials and soon thereafter, a group of representatives was formed to work with the sheriff and determine what course the county should take to correct the situation.

In the previous example you saw how a resourceful jail administrator was able to effectively initiate change and improvement for the jail through the news media. This sheriff did not wait until a grand jury or a special investigating team became interested in his jail and voiced criticism publicly. He took the initiative for seeking change. Too many administrators overlook the positive contributions which they can make through the press simply because they fear public criticism or because they fail to realize that they need not wait for an escape or a notorious prisoner to bring the attention of the press to the jail. Consider the actions of the following administrator.

Sheriff Carl Oakes, administrator of a large county jail, called in representatives of the news media and suggested a new arrangement which could be initiated between the city and the county for the use of the county jail. He pointed out that the state paid the county jail $2.50 a day for each person confined there on a felony charge plus a jailer fee of $1.75 for each prisoner admitted. He emphasized that the state did *not* pay for the confinement of such prisoners in municipal jails and suggested that he would be willing to cooperate with the city by holding all prisoners charged with felonies in his jail. According to his calculations, this would result in a saving of $15,000 to $18,000 per year for the city and would cut the current operating loss at the county jail considerably. At the same time Oakes took the opportunity to criticise the fee system used by the jurisdiction—and by many jurisdictions in the country—and found support for his ideas in the press. One editorial summed up his remarks in the following manner:

> The arrangement appears to be the best that could be devised under the circumstances, and Sheriff Oakes is to be congratulated. However, the circumstances are far from ideal. There is something wrong with a system that puts a premium on maintaining a large county jail population. Certainly this is not the fault of Sheriff Oakes, but of the fee system with which he must cope.

Which of the following statements do you consider correct?

1. Both Sheriff Jeppert and Sheriff Oakes used clever public relations gimmicks to seek the support of the press and the community.
2. Both Jeppert and Oakes took the initiative and obtained the support of the news media by speaking honestly about problems and suggesting improvements to be considered by the community.
3. Both Jeppert and Oakes narrowly avoided scandal by wisely calling in the press before the press discovered the problems of their jails and exposed them to public criticism.

turn page to check your answer

Answer

2 is the correct answer.

Both Jeppert and Oakes took the initiative and obtained the support of the news media by speaking honestly about problems and suggesting improvements to be considered by the community.

Up to this point, the discussion has focused on ways in which the jail administrator can actively develop good relations with the news media and initiate public support for change and improvement. Another inevitable function of the jail administrator is

COMMUNICATING WITH AND CONTROLLING THE NEWS MEDIA IN TIMES OF EMERGENCY OR UNFORESEEN CIRCUMSTANCE

It is after an escape or riot, or during the early stages of incarceration of a notorious person, that the jail administrator's ability to handle the press is most severely tested. At times like these, the administrator must closely follow the guidelines that were discussed on page 14. See if you can list the five guidelines to be followed when dealing with news media.

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In one community, a number of grand juries had emphasized the need for a new jail. The findings had been supported by a number of public officials and the press. However, no significant action had been taken to correct the situation and the jail's physical defects continued to remain dangerously evident.

In one year, three breakouts had occurred and each time the same escape route was followed by the escapees. In each case, prisoners had used a second floor window as an exit and had crawled across the adjoining carpentry shop roof to freedom. After each escape, the bars of the second-story window had been welded back together and the protective screen had been repaired, but no other protective precautions had been taken.

When a fourth escape occurred, it became front-page news because the escapees were dangerous. They had managed to escape from maximum security cells that were located on the first floor of the jail. One reporter made a tour of the escape route and concluded in a published article that the two latest escapees either unlocked — or had unlocked for them — the padlocks on their cell door, a door to the enclosed walkway outside their cells, a door at the end of the stairs leading to the second floor, and, finally, the window that shielded the barred enclosure through which they crawled after sawing the bars.

Newsmen first interviewed the sheriff who stated, "A guard must have let them out. Those locks were unpickable." The Captain, who was the jail administrator, was then interviewed and said, "No lock is unpickable." He went on to add that there was a possibility that the escapees had received "inside encouragement". He also mentioned that he had considered that the bars had been welded adequately and were secure. At the same time, he noted that after the third escape, three months earlier, he had planned to have a maze of barbed wire installed on the carpentry shop roof to prevent any escapes by that route.

Newspaper reports which followed these interviews were highly critical of the sheriff and captain. They focused largely on the "incompetence of the jail administrator and staff" and avoided references to the poor physical condition of the jail which the grand juries had specifically attacked.

Can you think of several things that the captain and the sheriff said which might have contributed to this criticism in the press?

Write down the various ways in which you think the two could have more constructively used and conducted their interviews with the press (use the space below to write down your ideas)

At the outset these two men encouraged the criticism of the press by making contradictory statements. By publicly disagreeing on the question of whether or not the locks were "pickable," the two gave the impression that dissention and lack of coordination existed and hindered proper administration of the jail. Likewise, the jail administrator's comment that he "thought" the bars were secure after the welding and that he had "planned" to install barbed wire on the carpentry shop roof left the impression of slipshod administration. It is also notable that, although both men left the impression that they believed a jail officer had assisted in the escape, neither one announced that they would conduct a full-scale investigation of the guard force.

Both of these men, if they had taken the time to agree on their remarks to the press, could have made a strong case which would have placed an equal portion of blame for the escape on the community. They could have cited the findings of the grand jury investigations which had declared the jail unsafe and outmoded and had found the budget inadequate for staffing an efficient guard force. Naturally, it would be irresponsible for these men to deny all blame for the escapes and place full blame on others for what had happened. But there is ample proof that they were forced to run the jail under adverse conditions which had repeatedly been brought to the attention of the public. The escapes might well have been inevitable in light of this, and the public should be held partially accountable for neglect of their responsibility.

It is inevitable that, at some point in every jail administrator's career, a sensational event will occur and a notorious person being held in the jail will be avidly sought for interviews and questioning by the press. Since this possibility exists, every jail administrator in the country has an important responsibility to analyze his duties with regard to the press and balance them against his primary responsibility to ensure the safekeeping of his prisoners and to protect each prisoner's right to privacy and a fair trial. Many unfortunate and even tragic incidents have resulted when jail administrators have failed to see clearly their responsibilities to their prisoners and have allowed the demands of news media to overshadow all other considerations. Whenever the press seeks information inside a jail concerning one of its prisoners, *it is the jail administrator* who bears the responsibility for controlling the activities and interrogations of the press. This responsibility becomes evident in a decision handed down by the Appellate Division of the New York Supreme Court:

> People are not arrested to provide news stories or telecasts. They are arrested to be brought to justice. Any police conduct that prevents a fair trial could allow the guilty to escape conviction. Good public relations have their importance but being on good terms with the press at the expense of a scrupulous performance of the department's functions is hardly commendable.

The desire on the part of the jail administrator to cooperate with the news media because he fears public criticism or because he has a misguided notion of the extent to which the press may invade his jail, can lead to unfortunate and even tragic results. Lee Harvey Oswald's murder while in police custody provides an excellent case study of what can happen when a jail administrator is not able or willing to control the news media. This case will be discussed on the next few pages.

When you have finished reading the case study, you will be asked to make suggestions for ways in which the situation in the Dallas City Jail could have been kept under control by the jail administrator. While you are reading, it might be a good idea to jot down notes which will help you write an answer.

Officials of the Dallas Police Department, which houses the city jail where Lee Harvey Oswald was held following his arrest for the murder of President Kennedy, placed a high priority on cooperation with representatives of the news media. A General Order concerning relations with the press had been in effect for a number of years. It stated:

> It is the policy[] that members of this Department render every assistance, except such as obviously may seriously hinder or delay the proper functioning of the Department, to the accredited members of the official news-gathering agencies and this includes newspaper [reporters], television cameramen, and newsreel photographers.

In order to erase any doubt as to the meaning of this statement, Police Chief Curry clarified the General Order in this manner:

> The General Order covering this subject is not merely permissive. It does not state that the officer may, if he so chooses, assist the press. It rather places on him a responsibility to lend active assistance.
>
> Implied in the General Order is a prohibition for the Officer to improperly attempt to interfere with the news media representative who is functioning in his capacity as such. Such activity on the part of any Police Officer is regarded by the press as an infringement of rights, and the Department shares this view.

Chief Curry had made the policy clear. He wanted his men to cooperate fully with the press. In fact, he opened the way to over-concern with the rights of the press and submergence of the rights of the prisoner to safety and a fair trial.

The Warren Commission Report re-creates the chaotic and dangerous situation which reigned in the Dallas Police Department when newspaper, radio and television reporters were allowed free access to the 3rd floor where Oswald was being held and were allowed to freely question the prisoner and anyone else who was present on the third floor. The following are small portions from the report which describe the scene. (footnotes have been omitted from these excerpts)

> Felix McKnight, editor of the Dallas Times Herald, who handled press arrangements for the President's visit, estimated that within 24 hours of the assassination more than 300 representatives of news media were in Dallas, including correspondents from foreign newspapers and press associations. District Attorney Henry M. Wade thought that the crowd in the third floor hallway itself may have numbered as many as 300. Most estimates, including those based on examination of video tapes, place upwards of 100 newsmen and cameramen in the third floor corridor of the police department by the evening of November 22.
>
> In the words of an FBI agent who was present, the conditions at the police station were "not too much unlike Grand Central Station at rush hour, maybe like the Yankee Stadium during the World Series games." In the lobby of the third floor, television cameramen set up two large cameras and floodlights in strategic positions that gave them a sweep of the corridor in either direction. Technicians stretched their television cables into and out of offices, running some of them out of the windows of a deputy chief's office and down the side of the building. Men with newsreel cameras, still cameras, and microphones, more mobile than the television cameramen, moved back and forth seeking information and opportunities for interviews. Newsmen wandered into the offices of other bureaus located on the third floor, sat on desks, and used police telephones; indeed, one reporter admits hiding a telephone behind a desk so that he would have exclusive access to it if something developed.
>
> By the time Chief Curry returned to the building in the middle of the afternoon from Love Field where he had escorted President Johnson from Parkland Hospital, he found that "there was just pandemonium on the third floor." The news representatives, he testified,
>
> > were jammed into the north hall of the third floor, which are the offices of the criminal investigation division. The television trucks, there were several of them around the city hall. I went into my administrative offices. I saw cables coming through the administrative assistant office and through the deputy chief of traffic through his office, and running through the hall they had a live TV set up on the third floor, and it was bedlam of confusion.

According to Special Agent Winston G. Lawson of the Secret Service,

> At least by 6 or 7 o'clock [the reporters and cameramen] were quite in evidence up and down the corridors, cameras on the tripods, the sound equipment, people with still cameras, motion picture type hand cameras, all kinds of people with tape recorders, and they were trying to interview people, anybody that belonged in police headquarters that might know anything about Oswald.

(pp. 201-202)

A witness who was escorted into the the homicide offices on Saturday afternoon related that he

> tried to get by the reporters stepping over television cables and you couldn t hardly get by they would grab you and wanted to know what you were doing down here, even with the detectives one in front and one behind you

The television cameras continued to record the scene on the third floor as some of the newsmen kept vigil through the night

Such police efforts as there were to control the newsmen were unavailing Capt Glen D King administrative assistant to Chief Curry witnessed efforts to clear an aisle through the hallway but related that this was a constant battle because of the number of newsmen who were there They would move back into the aisleway that had been cleared They interfered with the movement of people who had to be there According to one detective, they would be asked to stand back and stay back but it wouldn t do much good and they would rush forward and you had to hold them off physically The detective recalled that on one occasion when he was escorting a witness through the corridor he stopped and looked down and there was a joker who had a camera stuck between his legs taking pictures Forrest V Sorrels of the Secret Service had the impression that the press and the television people just took over

Police officers on the third floor testified that they carefully checked all persons for credentials and most newsmen indicated that after Batchelor imposed security they were required to identify themselves by their press cards Special Agent Sorrels of the Secret Service stated that he was requested to present credentials on some of his visits to the third floor However other newsmen apparently went unchallenged during the entire period before Oswald was killed although some of them were wearing press badges on their lapels and some may have been known to the police officers

According to some reporters and policemen, people who appeared to be unauthorized were present on the third floor after security procedures were instituted, and video tapes seem to confirm this observation Jack Ruby was present on the third floor on Friday night Assistant Chief of Police N T Fisher testified that even on Saturday "anybody could come up with a plausible reason for going to one of the third floor bureaus and was able to get in

(p 204)

As the confusion increased, reporters harrassed Oswald as well as police officers and some important security procedures were by-passed in order to accommodate the demands of reporters.

On most occasions Oswald's escort of three to six detectives and policemen had to push their way through the newsmen who sought to surround them. Although the Dallas press normally did not take pictures of a prisoner without first obtaining permission of the police, who generally asked the prisoner, this practice was not followed by any of the newsmen with Oswald. Generally when Oswald appeared the newsmen turned their cameras on him, thrust microphones at his face, and shouted questions at him. Sometimes he answered. Reporters in the forefront of the throng would repeat his answers for the benefit of those behind them who could not hear. On Saturday, however in response to police admonitions, the reporters exercised more restraint and shouted fewer questions at Oswald when he passed through the corridor.

Oswald's most prolonged exposure occurred at the midnight press conference on Friday night. In response to demands of newsmen, District Attorney Wade, after consulting with Chief Curry and Captain Fritz, had announced shortly before midnight that Oswald would appear at a press conference in the basement assembly room. An estimated 70 to 100 people, including Jack Ruby, and other unauthorized persons, crowded into the small downstairs room. No identification was required. The room was so packed that Deputy Chief M W. Stevenson and Captain Fritz who came down to the basement after the crowd had assembled could not get in and were forced to remain in the doorway.

Oswald was brought into the room shortly after midnight. Curry had instructed policemen not to permit newsmen to touch Oswald or get close to him, but no steps were taken to shield Oswald from the crowd. Captain Fritz had asked that Oswald be placed on the platform used for lineups so that he could be more easily removed "if anything happened." Chief Curry, however, insisted that Oswald stand on the floor in front of the stage, where he was also in front of the one-way nylon-cloth screen customarily used to prevent a suspect from seeing those present in the room. This was done because cameramen had told Curry that their cameras would not photograph well through the screen.

Curry had instructed the reporters that they were not to "ask questions and try to interview [Oswald] in any way," but when he was brought into the room, "immediately they began to shoot questions at him and shove microphones into his face." It was difficult to hear Oswald's answers above the uproar. Cameramen stood on the tables to take pictures and others pushed forward to get closeups. The noise and confusion mounted as reporters shouted at each other to get out of the way and cameramen made frantic efforts to get into position for pictures. After Oswald had been in the room only a few minutes, Chief Curry intervened and directed that Oswald be taken back to the jail because, he testified, the newsmen "tried to overrun him."

(pp. 206-207)

by constantly pursuing public officials, the news representatives placed an insistent pressure upon them to disclose information. And this pressure was not without effect, since the police attitude toward the press was affected by the desire to maintain satisfactory relations with the news representatives and to create a favorable image of themselves. Chief Curry frankly told the Commission that

> I didn't order them out of the building, which if I had it to do over I would. In the past like I say, we had always maintained very good relations with our press, and they had always respected us.

Curry refused Fritz' request to put Oswald behind the screen in the assembly room at the Friday night press conference because this might have hindered the taking of pictures. Curry's subordinates had the impression that an unannounced transfer of Oswald to the county jail was unacceptable because Curry did not want to disappoint the newsmen, he had promised that they could witness the transfer. It seemed clear enough that any attempt to exclude the press from the building or to place limits on the information disclosed to them would have been resented and disputed by the newsmen, who were constantly and aggressively demanding all possible information about anything related to the assassination.

Although the Commission has found no corroboration in the video and audio tapes, police officials recall that one or two representatives of the press reinforced their demands to see Oswald by suggesting that the police had been guilty of brutalizing him. They intimated that unless they were given the opportunity to see him, these suggestions would be passed on to the public. Captain King testified that he had been told that

> A short time after Oswald's arrest one newsman held up a photograph and said, "This is what the man charged with the assassination of the President looks like. Or at least this is what he did look like. We don't know what he looks like after an hour in the custody of the Dallas Police Department."

City Manager Elgin Crull stated that when he visited Chief Curry in his office on the morning of November 23, Curry told him that he "felt it was necessary to cooperate with the news media representatives, in order to avoid being accused of using Gestapo tactics in connection with the handling of Oswald." Crull agreed with Curry.

(p. 241)

The Commission points out that some special security precautions *were* taken to protect Oswald, especially during his planned transfer to the county jail. These precautions were the direct result of a telephone call in which Oswald's life had been threatened. It is unfortunate, however, that the security precautions did not include proper control of the crowd of newsmen. It was this oversight which enabled Jack Ruby to enter the area where Oswald was being moved and shoot him at close range.

> The assembly of more than 70 police officers, some of them armed with tear gas, and the contemplated use of an armored truck, appear to have been designed primarily to repel an attempt of a mob to seize the prisoner.
>
> (p. 227)

> A more balanced appraisal would have given thought to protection against any attack. For example, the acceptance of inadequate press credentials posed a clear avenue for a one-man assault. The likelihood of an unauthorized person obtaining entry by such means is confirmed not alone by the fact that Jack Ruby managed to get by a guard at one entrance. Several newsmen related that their credentials were not checked as they entered the basement Sunday morning. Seconds before Oswald was shot, the double doors from the hallway next to the jail office afforded a means of entry to the basement without presentation of credentials earlier demanded of newsmen.
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> The swarm of newspeople in the basement also substantially limited the ability of the police to detect an unauthorized person once he had entered the basement. While Jack Ruby might have been easily spotted if only police officers had been in the basement, he remained apparently unnoticed in the crowd of newsmen until he lunged forward toward Oswald. The near-blinding television and motion picture lights which were allowed to shine upon the escort party further increased the difficulty of observing unusual movements in the basement.
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> (p. 227)

> Also, continuous television and radio coverage of the activities in the basement might have resulted in compromise of the transfer operation.
>
> (pp. 227-28)

In commenting on these events, the Report explained:

> These risks to Oswald's safety, growing in part out of adherence to the general policy of the police department, were also created for other reasons. Many members of the police department believed that the extraordinary public attention aroused by the tragic death of President Kennedy obliged them to make special efforts to accommodate the press. Captain King carefully articulated one reason why the newsmen were permitted
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> > to remain in the hallways . . . to view the investigation and to keep in constant touch with progress of the investigation.
> >
> > We realized that if we arrested a suspect, that if we brought him into the police station and then conducted all of our investigations behind closed doors, that if we gave no reports on the progress of our investigation and did not permit the newsmen to see the suspect . . . if we excluded them from it . . . we would leave ourselves open not only to criticisms that we were fabricating a suspect and were attempting to pin something on someone, but even more importantly, we would cause people to lose faith in our fairness and, through losing faith in our fairness, to lose faith to a certain extent in the processes of law.
> >
> > We felt it was mandatory that as many people knew about it as possible. We knew, too, that if we did exclude the newsmen, we would be leaving ourselves open to a charge that we were using improper action, duress, physical abuse, all of these things.
>
> (p. 228)

Not only did the police department make all possible efforts to accommodate the press by allowing them into the building, the department also did everything possible to keep the press informed about the investigation they were conducting. According to the Warren Report:

> Most of the information was disclosed through informal oral statements or answers to questions at impromptu and clamorous press conferences in the third floor corridor. Written press releases were not employed. The ambulatory press conference became a familiar sight during these days. Whenever Curry or other officials appeared in the hallway, newsmen surrounded them, asked questions and requested statements. Usually, the officials complied.
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> (pp. 231–233)

Police Chief Curry made a number of informal statements concerning the investigation and gave reporters informal progress reports in which much of his information was incorrect or hearsay evidence against Oswald. Reporters followed members of the police department around and continually asked for, and received, details of the case. Naturally, many of these details later proved to be incorrect. While the press pursued this policy, a number of public officials were quoted as being "certain" of Oswald's guilt. In fact, District Attorney Wade, although he was aware that there was a growing concern among lawyers about the effects of the unlimited disclosures, (235) nevertheless held a press conference which the Warren Report describes in the following manner:

> Wade nonetheless proceeded to hold a lengthy formal press conference that evening in which he attempted to list all of the evidence that had been accumulated at that point tending to establish Oswald as the assassin of President Kennedy. Unfortunately, at that time, as he subsequently testified, he lacked a thorough grasp of the evidence and made a number of errors. He stated that Oswald had told a woman on a bus that the President had been killed, an error apparently caused by the busdriver having confused Oswald with another passenger who was on the bus after Oswald had left. Wade also repeated the error about Oswald's having a map marked with the route of the motorcade. He told reporters that Oswald's description and name "went out by the police to look for him." The police never mentioned Oswald's name in their broadcast descriptions before his arrest.
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> (p. 236)

The Warren Commission was highly critical of these disclosures by responsible public officials and stated the following:

> A fundamental objection to the news policy pursued by the Dallas police, however, is the extent to which it endangered Oswald's constitutional right to a trial by an impartial jury. Because of the nature of the crime, the widespread attention which it necessarily received, and the intense public feelings which it aroused, it would have been a most difficult task to select an unprejudiced jury, either in Dallas or elsewhere. But the difficulty was markedly increased by the divulgence of the specific items of evidence with which the police linked Oswald to the two killings. The disclosure of evidence encouraged the public, from which a jury would ultimately be impaneled, to prejudge the very question that would be raised at trial.
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> (p. 238)

> Moreover, rules of law might have prevented the prosecution from presenting portions of this evidence to the jury. For example, though expressly recognizing that Oswald's wife could not be compelled to testify against him, District Attorney Wade revealed to the Nation that Marina Oswald had affirmed her husband's ownership of a rifle like that found on the sixth floor of the Texas School Book Depository. Curry stated that Oswald had refused to take a lie detector test, although such a statement would have been inadmissible in a trial. The exclusion of such evidence, however, would have been meaningless if jurors were already familiar with the same facts from previous television or newspaper reports. Wade might have influenced prospective jurors by his mistaken statement that the paraffin test showed that Oswald had fired a gun. The tests merely showed that he had fired either a rifle or a pistol.
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> (pp. 238–239)

In its findings, the Warren Commission placed some of the responsibility for the tragic circumstances which arose following President Kennedy's death on the representatives of the news media who had caused confusion and by their actions, had sufficiently clouded Oswald's ability to receive a fair trial. However, the Commission is much stronger in its statement concerning the activities of the Dallas Police Department.

> While appreciating the heavy and unique pressures with which the Dallas Police Department was confronted by reason of the assassination of President Kennedy, primary responsibility for having failed to control the press and to check the flow of undigested evidence to the public must be borne by the police department. It was the only agency that could have established orderly and sound operating procedures to control the multitude of newsmen gathered in the police building after the assassination.
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> (p. 240)

The Commission, therefore, put forth the following recommendation:

> The Commission recommends that the representatives of the bar, law enforcement associations, and the news media work together to establish ethical standards concerning the collection and presentation of information to the public so that there will be no interference with pending criminal investigations, court proceedings, or the right of individuals to a fair trial.
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> (p. 27)

It would be worthwhile for every jail administrator in the country to think about the Oswald case and to consider how the unfortunate events surrounding the case could have been avoided. See if you can outline several suggestions for ways in which Police Chief Curry might have controlled the situation in his jail. You may wish to re-read the case study, using your notes to outline your answer.

No jail is large enough to accommodate the onslaughts of large numbers of reporters. As suggested in the guidelines on page 14, it would be improper for a jail administrator to favor one news medium over another or one reporter over another in an attempt to limit the number of news personnel in the jail. Doing so would naturally bring charges of favoritism and "news management" from the press. It is obvious that Chief Curry was anxious to avoid any criticism from the press, so he let all the representatives into the jail and the result was chaos. What he could have done was this: he could have allowed the reporters to choose one or two representatives from among themselves to observe the prisoner, conduct a special interview, and then report all the details of what they saw and heard to the rest of the reporters. If the reporters were unable to choose such a representative, Curry would be justified in singling out the representatives from the wire services (Associated Press, United Press International) to get the story. This system is one which reporters are often required to follow, and they are willing to comply with it when they realize that they will not be able to pressure a jail administrator into allowing them all into the jail.

Certainly Chief Curry paved the way for trouble when he issued the statement in which he interpreted the General Order for his men. In his clarification of the order, he left little doubt that he wanted his men to cooperate at all costs with newsmen. He stated that each police officer has "... a responsibility to lend active assistance" to the press. It is apparent, however, that Curry had not emphasized that, although the press has a right to know about the activities of the Department, it should not be allowed to pursue its rights to the detriment of the rights of the prisoner. Certainly, in this case, the rights of Lee Harvey Oswald were seriously violated and, as the Warren Commission stated, Curry's accommodation of the press "endangered Oswald's constitutional right to a trial by an impartial jury."

In his testimony, Chief Curry stated, "I didn't order them (the reporters) out of the building, which if I had it to do over I would. In the past like I say, we had always maintained very good relations with our press, and they had always respected us." It is apparent that Chief Curry held certain misconceptions concerning the ways in which he could obtain the respect of the press. It is apparent that Curry was seriously bothered by scattered remarks of the press in which reporters sought interviews with Oswald by intimating that he was being hidden from them to avoid discovery of police brutality. Stunned by such accusations and fearful of being accused of "Gestapo tactics in connection with the handling of Oswald," Curry took pains to expose the prisoner to repeated meetings with the press. Certainly it would have been possible, as the Commission suggests, to select representatives from the prisoner's family, or respected members from the community to visit the prisoner and then report to the press on the condition of the prisoner. Or, it could have been possible to allow the two selected representatives of the press to view the prisoner and then report on his condition to the waiting press. Certainly it was not necessary for Curry to allay all irresponsible accusations of the press by allowing several hundred reporters and cameramen to observe the prisoner and conclude that he had not been abused by the police.

Perhaps it would be possible to excuse Curry's mistakes and inability to handle the press on the grounds that he was faced with a national emergency—the assassination of a President. However, is it possible to rationalize, or make excuses for, his informal and careless statements to the press regarding the details of the case against Oswald? He and a number of other public officials clearly lost sight of their responsibility to Oswald, to ensure his right to a fair and impartial trial. If Curry and other officials had taken the time and effort to prepare written press releases, it is likely that the inaccuracies and confusion of the informal press conferences would not have occurred. Although the press and, through them, the public—had a right to know of the apprehension of Oswald and the presence of evidence against him which was sufficient to make him a suspect in the murder of President Kennedy, it did not have the right to know of the details of the evidence against Oswald. Clearly, Curry and other officials involved at the time lost sight of the importance of preserving Oswald's rights above all other considerations.

Chief Curry has met with much criticism regarding his decision to transfer Oswald to the county jail in full public view. Naturally, most jail administrators would agree that he showed poor judgment in this matter. But, even more important than this was the poor judgment shown by the Chief in allowing the press, with all the accompanying disturbances of lights, cameras and sound equipment, to witness the transfer. The Commission points to inability of the escort party to detect sudden movements in the crowd while being blinded by television lights. It also points out that, while Curry had increased security procedures to effect the transfer, he had not limited the activities of the press and had, therefore, opened the possibility of unauthorized persons entering the area and attacking the prisoner. Jack Ruby seized just such an opportunity.

In summary, it must be said that catering to the news media and allowing full coverage of the handling of a prisoner is dangerous and unfair to the prisoner and can act as a serious obstacle to the working of the judicial system. While the public's right to know what is going on in the jail is not open to dispute, it becomes a matter of dispute when these rights are given precedence over the individual's rights to a fair trial and the efficient and impartial administration of justice.

Use the Dallas experience as a basis for improving your own policies concerning handling of news media representatives. First decide whether your present policy is inadequate in any way and then write down improved procedures which can be used to overcome present or potential problems.

All quotations used in case study were found in

Report of The President's Commission on The Assassination of President Kennedy
United States Government Printing Office, Washington, D. C., 1964
(page references are found after each quotation given)

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